

United States District Court
EASTERN DISTRICT OF TEXAS
SHERMAN DIVISION

CARL CLAXTON §
§
V. § CASE NO. 4:06cv37
§ (Judge Schneider/Judge Bush)
C. LARRY YARBROUGH AND §
ROGER STRIMPEL §

**MEMORANDUM ADOPTING REPORT AND RECOMMENDATION
OF UNITED STATES MAGISTRATE JUDGE**

Came on for consideration the Report of the United States Magistrate Judge in this action, this matter having been heretofore referred to the United States Magistrate Judge pursuant to 28 U.S.C. § 636. On January 17, 2007, the Report of the Magistrate Judge was entered containing proposed findings of fact and recommendations that Defendant's Motion to Dismiss be GRANTED and that the above titled and numbered cause of action be DISMISSED WITH PREJUDICE.

The court, having made a *de novo* review of the objections raised by Plaintiff thereto, is of the opinion that the findings and conclusions of the Magistrate Judge are correct, and the objections of Plaintiff are without merit. Therefore, the court hereby adopts the findings and conclusions of the Magistrate Judge as the findings and conclusions of this court. It is, therefore,

ORDERED that Defendants' Motion for Summary Judgment is GRANTED. It is further **ORDERED, ADJUDGED and DECREED** that the above titled and numbered cause of action is DISMISSED WITH PREJUDICE.

SIGNED this 5th day of February, 2007.


MICHAEL H. SCHNEIDER
UNITED STATES DISTRICT JUDGE